



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/623,468	07/18/2003		24515 US

Martin A. Farber  
 Suite 473  
 866 United Nations Plaza  
 New York, NY 10017

CONFIRMATION NO. 2969

## FORMALITIES LETTER



\*OC000000012386282\*

Date Mailed: 04/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/01/2004 WABDELRI 00000064 060105 10623468

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1053	130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.
- The oath or declaration does not identify each inventor by full name, including the family name and at least one given name without abbreviation.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



A handwritten signature, likely of a representative from the Customer Service Center, is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



24515 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA Patent Application  
Jens Müller, et al  
Serial No.: 10/623,468  
Filed: July 18, 2003  
PROXIMITY SWITCH ENCAPSULATED IN A  
PLASTIC HOUSING AND HAVING A SHIELD

ATTENTION: APPLICATION BRANCH  
CUSTOMER SERVICE CENTER  
INITIAL PATENT EXAMINATION DIVISION

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CERTIFICATE OF MAILING ON LAST PAGE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(b), AND SUBMISSION OF  
TRANSLATION, PRELIMINARY AMENDMENT, PRIORITY DOCUMENT WITH  
WITH CLAIM OF PRIORITY, DECLARATION AND FILING FEES

In response to the Office Action dated April 19, 2004  
respectfully presented herewith is the English translation (7  
pages) which is believed to be an accurate translation of the  
application as originally filed in the German language. This  
translation is requested to be used as the copy for examination  
purposes in the Patent Office along with the submitted  
Preliminary Amendment. Please enter the Preliminary Amendment  
simultaneously with this submission and prior to calculating  
filing fees.

CLAIM OF PRIORITY

Respectfully submitted herewith is a certified copy of the  
claimed priority document, named below of which the benefit of  
the filing date thereof is claimed herewith under 35 USC 119,  
this submission meeting the requirements of 35 USC 119:

German Patent Application  
202 11 087.7 filed July 23, 2002

Also respectfully submitted herewith is the signed and dated Declaration for the above-identified patent application which was filed in the Patent Office in order to obtain a filing date for the application on July 18, 2003 under serial no. 10/623,468.

Attached is check no. 15874 in the amount of \$1030 (to cover the Government filing fee \$770.00 and the Government surcharge fee of \$130.00 for filing without fee or declaration under 37 CFR 1.53(f), as well as \$130.00 for filing non-English language papers.

The Preliminary Amendment is presented herewith. Please enter this Preliminary Amendment simultaneously with filing of the accompanying translation, prior to calculating claim fees.

Please charge or refund any deficiency or excess amounts in fees to deposit account 06-0105 of the undersigned.

Respectfully submitted,  
Jens Müller et al

by: \_\_\_\_\_  
MARTIN A. FARBER  
Attorney for Applicants  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER SECTION 37 CFR 1.8(a)

I hereby certify that this Response, Translation, Preliminary Amendment, signed Declaration, check no. 15874 \$1030.00 in response to the Office Action dated April 19, 2004, and priority document are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 23, 2004.

Dated: June 23, 2004

866 United Nations Plaza  
New York, NY 10017  
(212) 758-2878

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MARTIN A. FARBER